

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL ACTION NO. 1:2023-cv-00270

FILED
ASHEVILLE, NC

APR 30 2025

U.S. DISTRICT COURT
W. DISTRICT OF N.C.

MACKENZIE ELAINE BROWN,
Plaintiff,

v.

HENDERSON COUNTY SHERIFF'S OFFICE, et al.,
Defendants.

PLAINTIFF'S
PROTECTIVE
NOTICE OF
APPEAL

NOW COMES the Plaintiff, Mackenzie Elaine Brown, proceeding pro se, and respectfully appeals to the United States Court of Appeals for the Fourth Circuit from the Order entered in this action on the 31st day of March, 2025, by the Honorable Chief Martin Reidinger, United States District Judge, dismissing certain claims [Doc 58].

That Order dismissed numerous claims, including all claims against Magistrate Oates in her individual capacity with prejudice and in her official capacity without prejudice, including: (1) First Amendment Retaliation; (2) False Arrest; (3) Malicious Prosecution; (4) Abuse of Process; (5) Liberty Interest; (6) Equal Protection; (7) Conspiracy; (8) Obstruction of Justice; (9) Spoliation of Evidence; (10); Violation of Victim's Rights under the NC Constitution; and (11) Intentional Infliction of Emotional Distress.

Additionally, the Order dismissed multiple claims against the HCSO Defendants in their individual and official capacities, including the: (12) First Amendment Retaliation claim against Officer Duncan; (13) False Arrest claim against Deputies Warren and Lindsay; (14) Malicious Prosecution claim against Deputies Warren and Lindsay; (15) Abuse of Process claims against Deputies Warren, Lindsay, and Landers; (16) Liberty Interest claims against Deputies Warren, Lindsay, Landers, and Officers Reece and Maybin; and (17) Intentional Infliction of Emotional Distress claims against Deputies Warren, Lindsay, Landers, and Officers Duncan, Reece, and Maybin.

Plaintiff files this Notice of Appeal protectively to preserve her appellate rights while the Court considers the pending Motion for Certification of Interlocutory Appeal and Stay of Proceedings [Doc 62].

Respectfully submitted this 25th day of April, 2025.

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CERTIFICATE OF SERVICE

I certify that I filed the foregoing to the U.S. Clerk of Courts Office, and mailed a copy to the following attorneys of the Defendants:

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Dated April 25, 2025

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